

TONY M. SMITH,)	
)	
Petitioner,)	2:11-cv-01697-PMP-GWF
)	
vs.)	ORDER
)	
GREGORY COX, <i>et al.</i> ,)	
)	
Respondents.)	
	/	

The court will retain the petition for writ of habeas corpus, but will not file it at this time.

IT IS THEREFORE ORDERED that petitioner's motion for leave to proceed *in forma pauperis* (ECF #1) is ***DENIED***.


IT IS FURTHER ORDERED that petitioner shall have **thirty (30) days** from the date this order is entered to either (1) pay the \$5.00 filing fee or (2) submit a fully completed application to proceed *in forma pauperis*, including a financial certificate completed and signed by an authorized prison officer and the inmate account statements. Failure to take one of these actions within the time allowed may result in dismissal of this action.

1 **IT IS FURTHER ORDERED** that the Clerk shall **SEND** to petitioner the approved form for
2 an application to proceed *in forma pauperis*.

3 **IT IS FURTHER ORDERED** that the Clerk shall **SEND** to petitioner two copies of this order.
4 If petitioner wishes to pay the five dollar (\$5) filing fee (the first option, above), petitioner must make
5 the necessary arrangements to have one copy of this order, along with a check in the amount of the full
6 \$5 filing fee, sent to the court, by sending a copy of the order with a “brass slip” to Inmate Services for
7 issuance of the check.

8 **IT IS FURTHER ORDERED** that the Clerk shall retain the petition for a writ of habeas corpus
9 but shall not file it at this time.

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11 DATED: November 8, 2011.

A handwritten signature in black ink, appearing to read "Philip M. Pro". The signature is fluid and cursive, with a large initial "P" and a long horizontal stroke at the end.

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14 PHILIP M. PRO
United States District Judge
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